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MAR 1 2 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	Mag. Case No. '08 MJ 8217
	)	
Plaintiff,	)	COMPLAINT FOR VIOLATION OF:
	)	
v.	)	Title 8, U.S.C., Section 1326
	)	Deported Alien Found In the United States
Juan Manuel VILLEGAS-Hernandez,	)	
	)	
	)	
Defendant.	)	

The undersigned complainant, being duly sworn, states:

On or about March 11, 2008, within the Southern District of California, defendant Juan Manuel VILLEGAS-Hernandez, an alien, who previously had been excluded, deported, or removed from the United States to Mexico was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States code, section 202(3) and (4) , and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

Richard Ramirez
Senior Patrol Agent

SWORN TO BEFORE AND SUBSCRIBED IN MY PRESENCE THIS 12th DAY OF MARCH 2008.

PETER C. LEWIS
United States Magistrate Judge

UNITED STATES OF AMERICA
v.
Juan Manuel VILLEGAS-Hernandez

STATEMENT OF FACTS

The complainant states that this complaint is based upon the statements of the apprehending Border Patrol Agent, J. Guerrero, that the Defendant was found and arrested on March 11, 2008 west of Calexico, California.

BPA Guerrero was performing his assigned Border Patrol duties approximately 14 miles west of Calexico, California and encountered an illegal alien later identified as Juan Manuel VILLEGAS-Hernandez. BPA Guerrero identified himself as a Border Patrol Agent and questioned VILLEGAS as to his immigration status to be in the United States. VILLEGAS stated that he was a citizen of Mexico and illegally in the United States. VILLEGAS was placed under arrest.

Record checks revealed that an Immigration Judge ordered VILLEGAS deported to Mexico from the United States on March 6, 2008.

There is no evidence VILLEGAS has sought or received permission from the Attorney General or the Secretary of the Department of Homeland Security to re-enter the United States.